

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

THOMAS JAMES CORRIGAN, et al.,

Plaintiffs,

v.

COUNTY OF CALAVERAS, et al.,

Defendants.

No. 1:20-cv-00931-ADA-SKO

ORDER DIRECTING THE CLERK TO  
TERMINATE DEFENDANT JOSEPH  
BOBERG

(Doc. 58)

On January 17, 2023, the parties filed a Stipulation for Voluntary Dismissal of Defendant Joseph Boberg without prejudice, pursuant to Federal Rule of Civil Procedure 41(a). (Doc. 58.)

In relevant part, Rule 41(a)(1)(A) provides as follows:

[A] plaintiff may dismiss an action without a court order by filing: (i) a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment; or (ii) a stipulation of dismissal signed by all parties who have appeared.

Fed. R. Civ. P. 41(a)(1)(A). “The plaintiff may dismiss some or all of the defendants, or some or all of his claims, through a Rule 41(a)(1) notice,” and the dismissal “automatically terminates the action as to the defendants who are the subjects of the notice.” *Wilson v. City of San Jose*, 111

1 F.3d 688, 692 (9th Cir. 1997).

2 Because the parties filed a stipulation of dismissal without prejudice under Rule 41(a), this  
3 case has automatically terminated as to Defendant Joseph Boberg. Fed. R. Civ. P. 41(a)(1)(A).  
4 Accordingly, the Clerk of Court is directed to TERMINATE Defendant Joseph Boberg.

5 This case shall remain OPEN pending resolution of Plaintiffs' case against the remaining  
6 defendants.

7  
8 IT IS SO ORDERED.

9 Dated: **January 18, 2023**

*/s/ Sheila K. Oberto*  
UNITED STATES MAGISTRATE JUDGE